

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT T. STRATTON,
Plaintiff

V.

CO III. LT. J.A. TONY, ET AL.,
Defendants.

CIVIL ACTION NO. # 05-1601
CHIEF JUDGE, DONETTA W. AMBROSE/
MAGISTRATE JUDGE, LISA PUPO
LENIHAN

6750

NOTICE OF APPEAL

Plaintiff moves in this Court Pursuant to the Pa. Rules of Civil Appellate Procedures (that applies herewith); Pursuant to ORDER OF THIS COURT DATED/FILED: DECEMBER First (1ST) 2005, Directing Plaintiff to: 1. Submit His Civil Action in this Court before December 28th 2005; 2. Provide the Clerk with a TRUE AND CORRECT COPY OF COMPLAINT AND SERVICE FOR EACH DEFENDANT OF THIS ACTION BEFORE DECEMBER 28TH 2005; OR 3. FACE ISSUANCE OF ORDER TO SHOW CAUSE, IN CONTEST OF DISMISSAL; OR... 4. SUBMIT A "NOTICE OF APPEAL", APPEALING THIS DECEMBER 1ST 2005 ORDER.....

IN WHICH NOW PLAINTIFF HEREBRINGS THIS NOTICE OF APPEAL [THIS MONDAY DECEMBER 5TH, 2005.] IN COMPLIANCE WITH RULE 72.1.3 (B) OF THE LOCAL RULES FOR MAGISTRATES, AND HEREWITH THE FOLLOWING FACTORS PLAINTIFF PRESENTS IN SUPPORT OF HIS NOTICE OF APPEAL:

- 1. PLAINTIFF HAS AND CONTINUES TO WORK DILIGENTLY TO COMPLETE HIS CIVIL ACTION COMPLAINT TO THE BEST OF HIS PERFORMANCE [e.g. UNDER PRESENT SUFFERANCE OF NEUROLOGICAL COMPLICATIONS AND DAILY ADMINISTRATION OF PSYCHOTROPIC DRUGS TO KID MENTAL DISABILITY.] AND YET, HAS BECOME SUBJECT (TARGET) BY CORRECTIONAL OFFICIALS OF UNWARRANTED INTERFERENCE, OBSTRUCTION, AND CONFISCATION OF PAGES AND ELEMENTS OF MY COMPLAINT ON DATES: 11/11/05: [(APPROX. 1830 HOURS) INVOLVING DEFENDANT COI "CRATCH" CRATCH, & COII. SGT. "ACE" BARKFELT, WHO TOOK PAGES OF MY COMPLAINT DURING A "CELL SEARCH"] AND 11/14/05 [(APPROX. 0915 HOURS] INVOLVING DEFENDANT COI. AA. BONES MORRIS, (WITH COI BISCA) CONSPIRING] TOOK SEVERAL PAGES OF MY COMPLAINT DURING A "CELL SEARCH" (WITH ADDITION OF PAGES TAKEN OF MY COMPLAINT ON 11/11/05). I WAS GIVEN AN "CONFISCATED ITEMS RECEIPT" (NO. # AS17425) FALSELY ALLEGING "ONLY" TWO (2) PAGES OF MY COMPLAINT WAS TAKEN AND HELD TO BE REVIEWED BY SECURITY STAFF OFFICIALS, YET NOT A SINGLE PAGE OF PLAINTIFF'S COMPLAINT HAS BEEN "RETURNED" (SEE EXHIBIT "A" ATTACHED)

2. IN ADDITION TO FACTS IN #1. MENTIONED ABOVE (RETALIATORY EVENTS) DELAY IS NOT ON PART OF PLAINTIFF, AND PLAINTIFF IS... BY SUCH, FORCED TO REPRODUCE, RECONSTRUCT AND CONTINUE THE PURSUANCE TO COMPLETE HIS CIVIL ACTION COMPLAINT BY WHAT LIMITED "RESOURCES" HE IS PROVIDED... THOSE RESOURCES BEING: (SEE EXHIBIT "B" AND "C" ATTACHED); ~~Plaintiff~~ By Policy of the DEPARTMENT OF CORRECTIONS, (DOC), PLAINTIFF SHALL NOT BE PROVIDED MORE THAN TEN (\$10.00) DOLLARS PER MONTH, TO AID IN LEGAL AFFAIRS (PHOTOCOPIES/POSTAGE/ETC.) NEVER TO EXCEED THIS LIMIT (\$10.00 PER MONTH) UNDER NO CIRCUMSTANCE!!! AND BY DEBT, IS TO BE RESTORED!

3. PLAINTIFF HERE PROVIDES EXHIBIT "D" (PHOTOCOPY OF IN VOLUNTARY COMMITMENT TO MENTAL HEALTH HOSPITAL IN 2000) TO CONFIRM LEGITIMACY OF PLAINTIFF'S MENTAL DISABILITY ASSESSED IN #1. (ABOVE) WHEREBY, ULTIMATELY, PLAINTIFF MAY HAVE TO SEEK THE ASSISTANCE OF APPOINTMENT OF COUNSEL, DUE TO HIS PRESENT CONDITIONS, DISABILITIES, AND NEUROLOGICAL AFFLICTIONS.

4. REGARDING FACTS HEREIN, AND EXHIBITS (A,B,C,&D) ATTACHED PLAINTIFF MOVES IN THIS COURT FOR AN "ORDER" ISSUED GRANTING (1.) AN ORDER TO SUSPEND D.O.C. POLICY (E.G. EXHIBIT "B" AND "C" ATTACHED) ENABLING PLAINTIFF UNLIMITED RESOURCE RELATING TO LEGAL AFFAIRS (I.E. PHOTOCOPIES, POSTAGE, SECURITIES, RESEARCH, ETC..) [OR] AN ORDER DIRECTING THE U.S. WESTERN DISTRICT COURT CLERK, TO REPRODUCE, PROPERLY DISTRIBUTE, AND PROVIDE PLAINTIFF WITH PHOTOCOPIES OF ALL.. "ACTION S, MOTION, ORDERS, PETITIONS ETC" BROUGHT BY PLAINTIFF IN THIS COURT, AND (2.) PLAINTIFF SEEK AN ORDER GRANTING HIM AN EXTENSION OF TIME, NOT TO EXCEED THE DATE OF JANUARY 20th, 2006 BY WHICH WITHIN SUCH TIME PERIOD PLAINTIFF BELIEVES HE WOULD HAVE SUBMITTED HIS COMPLAINT IF NOT SOONER.

5. PLAINTIFF AFFIRMS THAT "VERIFICATION" AND CERTIFICATE OF SERVICE IS HERE ATTACHED.

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THIS 5TH, DAY OF DECEMBER 2005

Robert T. Stratton
PRO SE. ROBERT T. STRATTON
(DA-2917) 175 PROGRESS DRIVE
WAYNESBURG PA. 15370

VERIFICATION

I, Plaintiff, ROBERT T. STRATTON HEREBY VERIFY THAT ALL
MENTIONED HEREIN & HIS NOTICE OF APPEAL, AND EXHIBITS ATT-
ACHED ARE TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE, BELIEF, AND INFORMATION RECEIVED, SUBJECT
UNDER PENALTY OF PERJURY LAWS RELATING TO FALSIFIED UN-
TRUE STATEMENTS AND/OR TESTIMONY

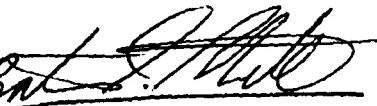
THIS 5th DAY OF DECEMBER 2005


ROBERT T. STRATTON

— IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN
ROBERT T. STRATTON DISTRICT OF PENNSYLVANIA
V. PLAINTIFF CIVIL ACTION NO. # 05-1601
CO. CLT. J.A. TONY ET AL.
(DEFN) CERTIFICATE OF SERVICE

I, Plaintiff, ROBERT T. STRATTON, DO HEREBY CERTIFY
THAT A TRUE AND CORRECT COPY OF THIS "NOTICE OF APPEAL"
HAS BEEN SERVED ON THE FOLLOWING BELOW: (U.S. WESTERN
DISTRICT CLERK, FOR THE U.S. WESTERN DISTRICT COURT
OF PENNSYLVANIA) BY PLACING THE SAME IN U.S. MAIL FIRST
CLASS, AND PROPERLY ADDRESSED AS SUCH (BELLOW) ON
THIS 5th DAY OF DECEMBER 2005

12/14/05
The appeal is denied as filed
orderly the Magistrate Judge dated 12/14/05
11/20/05 is neither clearly erroneous
nor contrary to law.
Anetta J. Andrew
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ROBERT T. STRATTON
(DA-2917) 175 PROGRESS DRIVE
WAYWESTBURG, PA. 15370